

HOUSE BILL 3728
By Harwell

AN ACT to amend Tennessee Code Annotated, Title 55,
Chapter 10, Part 1, relative to motor vehicle
accident reports.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 1, is amended by
adding the following as new section:

§ 55-10-118.

(a) Notwithstanding the provisions of this part or § 10-7-503 to the contrary, except as provided in subsection (b) a motor vehicle accident report compiled and maintained pursuant to this part shall be confidential and not open for public inspection. This subsection (a) shall apply regardless of whether the report is maintained by the department of safety in Nashville, by one of the various district offices of the Tennessee highway patrol or by a local law enforcement agency.

(b) The following persons and entities shall be entitled to obtain from the commissioner of safety in Nashville or from a local law enforcement agency a copy of a motor vehicle accident report:

- (1) The driver or owner of a vehicle involved in the accident;
- (2) Any person injured or whose property is damaged or destroyed as the result of the accident or any such person's attorney or designated representative;
- (3) The parent or guardian of the driver or owner of a vehicle if such driver is a minor;

(4) An attorney retained to represent a driver, owner or a person injured or damaged by a driver;

(5) An insurance company or agent whose client is a driver or owner of a vehicle involved in the accident;

(7) A health care institution or professional when necessary for treatment purposes;

(6) Department of safety employees;

(7) A physician, nurse, chiropractor, dentist, or other health care provider when necessary for purposes of treating a person involved in the accident; or

(8) Any other person or entity a driver or owner designates in writing.

(c) Any copy of an accident report sent pursuant to subsection (b) shall exclude any information regarding automobile liability insurance.

(d) The commissioner and each law enforcement agency shall be authorized to designate a form for requesting accident reports and to set a reasonable administrative fee for providing each such report. Such fee shall not exceed five dollars (\$5.00) per report.

SECTION 2. Tennessee Code Annotated, Section 55-10-108, is amended by deleting the second sentence of subsection (d) and substituting instead the following:

Except as provided in § 55-10-118, such report under subsection (b) shall not be considered confidential within the meaning of § 55-10-114(a).

SECTION 3. This act shall take effect July 1, 2006, the public welfare requiring it.